

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

UMAÑA *et al.*

Application No.: 10/761,435

Filed: January 22, 2004

For: **Fusion Constructs and Use of Same
to Produce Antibodies With
Increased Fc Receptor Binding
Affinity and Effector Function**

Confirmation No.: 3728

Art Unit: 1633

Examiner: Burkhart, Michael D.

Atty. Docket: 1975.0180003/TJS/T-M/M-N

Reply to Notice of Non-Compliant Amendment (37 C.F.R. § 1.121)

Attn: Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Notice of Non-Compliant Amendment dated December 1, 2008, Applicants submit the following revised claim amendment, now correctly identifying claim 206 with the appropriate amendment markings. In compliance with 37 C.F.R. § 1.121, only the corrected section of the non-compliant Amendment is being submitted. The Amendment documents filed on February 5, 2008 and August 29, 2008, are incorporated herein by reference in their entirety.

The Amendment to the claims (correcting the amendment markings) begins on page 2 of this paper. The Remarks begin on page 37.

If additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefore are hereby authorized to be charged to our Deposit Account No. 19-0036.